



PTO/SB/08a/b (07-05)

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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete If Known</b>		
			Application Number	09/803452-Conf. #8539	
			Filing Date	March 8, 2001	
			First Named Inventor	Archibald I. J. BRAIN	
			Art Unit	3743	
			Examiner Name	A. J. Lewis	
Sheet	1	of	5	Attorney Docket Number	0108195.00128US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AD	AA*	US-2,862,498	12-02-1958	Weekes	
	AB*	US-2003/0131845-A1	07-17-2003	Lin	
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	AH*	US-4,793,327	12-27-1988	Frankel	
	AI*	US-4,832,020	05-23-1989	Augustine	
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	AK*	US-4,953,547	09-04-1990	Poole, Jr.	
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	AS*	US-5,391,248	02-21-1995	Brain	
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	AL1*	US-5,850,832	12-22-1998	Chu	
	AM1*	US-5,865,176	02-02-1999	O'Neil	
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	AR1*	US-5,937,860	08-17-1999	Cook	
AD	AS1*	US-5,979,445	11-09-1999	Neame et al.	

Examiner Signature	/Annette Dixon/ (02/01/2007)	Date Considered	
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			Art Unit	3743	
			Examiner Name	A. J. Lewis	
Sheet	2	of	5	Attorney Docket Number	0108195.00128US1

AD	AT1*	US-5,983,897	11-16-1999	Pagan	
	AU1*	US-5,988,167	11-23-1999	Kamen	
	AV1*	US-5,996,582	12-07-1999	Tumbull	
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	AX1*	US-6,003,510	12-21-1999	Anunta	
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		Country Code <sup>3</sup>	Number* Kind Code <sup>4</sup> (if known)				
AD	BA	EP-0	732 116-A2	09-18-1996	Smiths Industries Public Limited Company		
	BB	WO-00/09189		02-24-2000	Archibald I. J. Brain		
	BC	WO-00/22985		04-27-2000	Children's Hospital, Inc.		
	BD	WO-00/23135		04-27-2000	Dimitriou et al.		
	BE	WO-00/61212		10-19-2000	Vital Signs Inc.		
	BF	EP-0294200		04-15-1992	Brain		
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	BH	EP-0402872		12-19-1990	L. VAD Technology Inc.		
	BI	EP-0580385		05-08-1996	Brain		
	BJ	EP-0712638		05-22-1996	Mallinckrodt Medical, Inc., et al.		
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	BL	EP-0845276		06-03-1998	Smiths Industries, PLC		
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	BN	EP-0922465		06-16-1999	Smiths Industries Public Limited Company		
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	BP	JP-10216233		08-18-1998	Smiths Industries PLC		
	BQ	JP-10263086		10-06-1998	Smiths Industries PLC		
AD	BR	JP-10277156		10-20-1998	Smiths Industries PLC		
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			Examiner Name	A. J. Lewis	
Sheet	3	of	5	Attorney Docket Number	0108195.00128US1

AD	BS	JP-10314308	12-02-1998	Smiths Industries PLC		
	BT	JP-10323391	12-08-1998	Aoki Shigeru		
	BU	JP-10328303	12-15-1998	Smiths Industries PLC		
	BV	JP-11128349	05-18-1999	Smiths Industries PLC		
	BW	JP-11192304	07-21-1999	Smiths Industries PLC		
	BX	EP-1119386-B1	09-07-2005	The Laryngeal Mask Company Limited		√
	BY	JP-11206885	08-03-1999	Smiths Industries PLC		
	BZ	EP-1125595	08-22-2001	Smiths Group PLC		
	BA1	CA-2012750	08-24-1999	Brain		
	BB1	CA-2067782	06-15-1999	Parker Medical Limited Partnership		
	BC1	GB-2111394	07-06-1983	Brain		
	BD1	CA-2141167	07-28-1995	Fink et al.		
	BE1	GB-2205499	01-16-1991	Brain		
	BF1	GB-2298797-A	09-18-1996	Smiths Industries Public Limited Company		√
	BG1	GB-2317342	03-25-1998	Smiths Industries Public Limited Company		
	BH1	GB-2317830	04-08-1998	Smiths Industries Public Limited Company		
	BI1	GB-2318735	05-06-1998	Smiths Industries Public Limited Company		
	BJ1	GB-2319478	05-27-1998	Smiths Industries Public Limited Company		
	BK1	GB-2321854	08-12-1998	Smiths Industries Public Limited Company		
	BL1	GB-2323289	09-23-1998	Smiths Industries Public Limited Company		
	BM1	GB-2323290	09-23-1998	Smiths Industries Public Limited Company		
	BN1	GB-2323291	09-23-1998	Smiths Industries Public Limited Company		
	BO1	GB-2323292	09-23-1998	Smiths Industries Public Limited Company		
	BP1	GB-2359996	09-12-2001	Smiths Industries Public Limited Company		
	BQ1	WO-91/03207	03-21-1991	Boston Scientific Corporation		
	BR1	WO-91/07201	05-30-1991	Jeffrey Parker		
	BS1	WO-91/12845	09-05-1991	Smiths Industries Public Limited Company		
	BT1	WO-92/13587	08-20-1992	Brain		
	BU1	WO-95/33506	12-14-1995	Brain		
	BV1	WO-97/12640	04-10-1997	Brain		
	BW1	WO-97/12641	04-10-1997	Brain		
	BX1	WO-98/16273	04-23-1998	Augustine Medical		
AD	BY1	WO-99/06093	02-11-1999	Nimmo		

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			Examiner Name	A. J. Lewis	
			Attorney Docket Number	0108195.00128US1	
Sheet	4	of	5		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
AD	CA	Abdelatti, "A Cuff Pressure Controller for Tracheal Tubes and Laryngeal Mask Airway," Anaesthesia, 1999, Vol. 54, pp. 981-986.		
	CB	Benumof, "Laryngeal Mask Airway and teh ASA Difficult Airway Algorithm," Anesthesiology, 1996, Vol. 84(3), pp. 686-699.		
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	CF	Brain, "The Laryngeal Mask Airway - A Possible New Solution to Airway Problems in the Emergency Situation," Archives of Emergency Medicine, 1984, Vol. 1, pp. 229-232.		
	CG	Brain, "The Laryngeal Mask Airway," Anaesthesia, 1985, Vol. 40, pp. 356-361.		
	CH	Brain, "Three Cases of Difficult Intuition Overcome by the Laryngeal Mask Airway," Anaesthesia, 1985, Vol. 40, pp. 353-355.		
	CI	Brain, et al., "A New Laryngeal Mask Prototype," Anaesthesia, 1995, Vol. 50, pp. 42-48.		
	CJ	Brimacombe, "The Split Laryngeal Mask Airway," p. 639.		
	CK	Broderick et al., "The Laryngeal Mask Airway," Anaesthesia, 1989, Vol. 44, pp. 238-241.		
	CL	Burgard, et al., "The Effect of Laryngeal Mask Cuff Pressure on Postoperative Sore Throat Incidence," J. Clinical Anesthesia, 1996, Vol. 8, pp. 198-201.		
	CM	Caplan, et al., "Adverse Respiratory Events in Anesthesia: A CIsloed Claims Analysis", Anesthesiology 72: 828-833, 1990		
	CN	Communication of a notice of opposition, European Patent Office, February 15, 2006 (cover page and pages 1-4)		
	CO	Craven, "Prevention of Hospital-Acquired Pneumonia: Measuring Effect in Ounces, Pounds, and Tonds," Annals of Internal Medicine, 1995, Vol. 122(3), pp. 229-231.		
	CP	Cuff-Pressure-Control DCR, 2000, LogoMed.		
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	CS	Doyle et al., "Intraoperative Awareness: A Continuing Clinical Problem," <a href="http://doyle.ibme.utoronoto.ca/anesthesia/aware.htm">http://doyle.ibme.utoronoto.ca/anesthesia/aware.htm</a>		
	CT	Engbers, "Practical Use of 'Diprifusor' Systems," Anaesthesia, 1998, Vol. 53(1), pp. 28-34.		
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				Art Unit	3743
				Examiner Name	A. J. Lewis
Sheet	5	of	5	Attorney Docket Number	0108195.00128US1

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	CX	Heath, "Endotracheal Intubation Through the Laryngeal Mask - Helpful When Laryngoscopy is Difficult or Dangerous," European J. of Anaesthesiology, 1991, Vol. 4, pp. 41-45.	
	CY	Hickey, et al., "Cardiovascular Response to Insertion of Brain's Laryngeal Mask," Anaesthesia, 1990, Vol. 45, pp. 629-633.	
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	CA1	Jacobson et al., "A Study of Intracuff Pressure Measurements, Trends and Behaviours in Patients During Prolonged Period of Tracheal Intubation," Br. J. Anaesth., 1981, Vol. 53, pp. 97.	
	CB1	Kambic et al., "Intubation Lesions of the Larynx," Br. J. Anesth. 1978, Vol. 50, pp. 587-590.	
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✓	CP1	Worthington, et al., "Proceedings of the Anaesthetic Research Society," Br. J. Anaesthesia, 1995, Vol. 75, pp. 228P-229P.	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*Applicant's unique citation designation number (optional). \*Applicant is to place a check mark here if English language Translation is attached.

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A.D.	AA*	US-2003/0051734-A1	03-20-2003	Brain	
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	AN*	US-4,178,938	12-18-1979	Au et al.	
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	AQ*	US-4,256,099	03-17-1981	Dryden	
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	AS*	US-4,351,330	09-28-1982	Scarberry	
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A.D.	AS1*	US-5,305,743	04-26-1994	Brain	
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	09/803,452-Conf. #8539	
			Filing Date	March 8, 2001	
			First Named Inventor	Archibald I. J. BRAIN	
			Art Unit	3743	
			Examiner Name	A. J. Lewis	
Sheet	2	of	3	Attorney Docket Number	0108195.00128US1

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	AU1*	US-5,331,967	07-26-1994	Akerson et al.	
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>			Application Number	09/803,452-Conf. #8539	
			Filing Date	March 8, 2001	
			First Named Inventor	Archibald I. J. BRAIN	
			Art Unit	3743	
			Examiner Name	A. J. Lewis	
Sheet	3	of	3	Attorney Docket Number	0108195.00128US1

A.D.	AQ3*	US-7,097,802-A1	08-29-2006	Brain et al.	
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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	7 <sup>o</sup>
		Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (if known)					
A.D.	BA	DE-10042172		04-12-2001	Smiths Group		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
A.D.	CA	Benumof, JL, "Management of the Difficult Adult Airway with Special Emphasis on Awake Tracheal Intubation", Anesthesiol., Vol. 75, No. 6, pp. 1087-1110, 1991		
	CB	"Improving Anaesthesia", Med Pro Monthly, November-December, 1998, pp. 311-312		
	CC	Kapila, A. et al., "Intubating LMA: A Preliminary Assessment of Performance", British Journal of Anaesthesia, Vol. 75, pp. 228-229, 1995 (abstract)		
	CD	Laryngeal Mask Publications, 74 pages, December 1998, <a href="http://www.saga.nl/lma/lmapub.htm">www.saga.nl/lma/lmapub.htm</a>		
	CE	Martin, T., "Patentability of Methods of Medical Treatment: A Comparative Study", Journal of the Patent and Trademark Office Society, pp. 381-423, June 2000		
↓	CF	Neurometric Assessment of Adequacy of Intraoperative Anesthetic. March 1999, 3 pages, <a href="http://www.pnl.gov/medical/info/neuro.htm">www.pnl.gov/medical/info/neuro.htm</a>		
A.D.	CG	Rieger et al., Anesthesiology, Vol. 87, No. 1, July 1997		

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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